Attorney Docket No. 20720-95592

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF KACSIMILE hereby certify that this correspondence and fee is being facsimile transmitted to the Office of Patitions, Patent and Trademark Office (Fax No. (703) 308-6016) on October 15, 1909. October 15, 1999 Perer I Manso Date e of person signing this paper of fee

In re Application of:

Serial No.: Filing Date:

Group Art Unit:

Batch No.: Examiners: Title:

Dave Bova 08/368,378

January 14, 1995

1615 V45

J. Venkat

Nicotinic Acid Compositions for Treating Hyperlipidemia and

954-463-5523

Related Methods Therefor

Attn: Office of Petitions

Assistant Commissioner of Patents

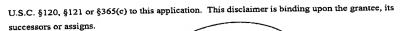
Box DAC

Washington, D.C. 20231

Dear Sir:

TERMINAL DISCLAIMER TO ACCOMPNAY PETITON TO REVIVE ABANDONED APPLICATION UNDER 37 CFR §1.137 (c)

Kos Pharmaceuticals, Innc. ("Kos") is the owner of 100% interest in the above-identified application by virtue of an assignement and/or obligation of the inventors named therein to assign said application to Kos as a result of their employment agreement with Kos. Kos hereby disclaims a terminal part of the term of the patent equivalent to the period of abandoment of the above-identified application. This terminal disclaimer applies to any patent granted on the above-identified application or on any application that contains a specific reference under 35



The undersigned attorney is the attorney of record.

Respectfully Submitted,

Peter J. Manso Reg. No. 32,264

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